

IN RE: PETITION FOR SPECIAL HEARING
NE/S Butler Road, 3225' SW of
Belmont Avenue
4th Election District
3rd Councilmanic District
Nathan Krome, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-352-SPH

AMENDED ORDER

WHEREAS, the Petitioners requested a special hearing to approve a non-density transfer of 8.59 acres more or less in an R.C. 2 zone in accordance with Petitioner's Exhibit 1;

WHEREAS, by Order dated March 16, 1989, Petitioners' request was granted with restrictions;

WHEREAS, subsequent to the hearing evidence was submitted as to the hardship Petitioners would suffer unless Restriction No. 4 of said Order was modified;

IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 5th day of April, 1989 that Restriction No. 4 of the Order issued March 16, 1989 be and the same is hereby modified to read as follows:

"Prior to the issuance of any building permits, the Contract Purchasers shall make application to enroll the 8.59 acres transferred herein in a County or State agricultural preservation program or the Maryland Environmental Trust program. The Contract Purchasers shall submit proof of compliance with this restriction within six (6) months of the date of this Order."

IT IS FURTHER ORDERED that all other restrictions and conditions of the Order dated March 16, 1989 shall remain in full force and effect.

AMN:bjs

cc: Benjamin Bronstein, Esquire
29 W. Susquehanna Avenue, Suite 205, Towson, Md. 21204

Robert A. Hoffman, Esquire
210 Allegheny Avenue, Towson, Md. 21204

Ms. Lisa Keir, Executive Director
Valleys Planning Council, Inc.
P.O. Box 5402, Towson, Md. 21285-5402

People's Counsel
File

A. H. NASTAROWICZ
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

IN RE: PETITION FOR SPECIAL HEARING
NE/S Butler Road, 3225' SW of
Belmont Avenue
4th Election District
3rd Councilmanic District
Nathan Krome, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-352-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve a non-density transfer of 8.59 acres more or less in an R.C. 2 zone in accordance with Petitioner's Exhibit 1.

The Petitioners appeared, testified, and were represented by Benjamin Bronstein, Esquire. Also appearing on behalf of the Petition were Don Wilson and Bev Wright, Contract Purchasers, represented by Robert A. Hoffman, Esquire; James C. Sadler, registered Property Line Surveyor. There were no Protestants.

Testimony indicated that the subject property consists of 57.56 acres more or less, of which approximately 21.4 acres are zoned R.C.4 and the remaining 36 acres more or less are zoned R.C.3. The subject property is located between Belmont Avenue and Butler Road as depicted in Petitioner's Exhibit 1. Petitioners testified they have contracted to sell the 21.4 acres zoned R.C.4 to Mr. Wilson and Ms. Wright, along with 8.59 acres of the land zoned R.C. 2. The portion of the R.C. 2 zone to be transferred has been distinguished from the remaining R.C. 2 acreage by the cross-hatched markings on Petitioner's Exhibit 1. Testimony indicated that the R.C. 2 area conveyed to Mr. Wilson and Ms. Wright will be specified as a non-density transfer area which will continue to be used for its current agricultural purposes of grazing. Mr. & Mrs. Krome propose to

build a residence for themselves on the remaining 27.56 acres more or less zoned R.C. 2 while the Contract Purchasers propose building a residence in the R.C. 4 zone. Testimony further indicated Petitioners have discussed their plans with the Valleys Planning Council, Inc. who, by letter dated March 7, 1989, identified herein as Petitioner's Exhibit 2, indicated they are not opposed to the request for the non-density transfer of the R.C. 2 property in light of the fact that both the Petitioners and the Contract Purchasers have indicated the property will be placed in a permanent conservation easement. Counsel for Petitioners and Contract Purchasers indicated Petitioners have entered into an agreement with the Valleys Planning Council, Inc. regarding placing the land in a permanent conservation easement. The Office of Planning and Zoning, represented by John Dillon, Area Planner, testified the Office is not opposed to the transfer, subject to encouraging Petitioners to have a soil conservation plan prepared by the Soil Conservation District.

The R.C. 2 zone was established to curb urban intrusion into productive agricultural areas that not only destroys the specific area in which development occurs but tends to be incompatible with agricultural uses in the surrounding area. (See Section 1A01.A.1.d of the Baltimore County Zoning Regulations (B.C.Z.R.)). Testimony and evidence presented indicated that the non-density transfer of 8.59 acres of the R.C. 2 zone to the Contract Purchasers along with the R.C. 4 acreage was to increase the size of the Contract Purchasers' farm and protect their agricultural interests and not foster any further development on the subject property. Petitioners have agreed that the transfer of the 8.59 acres will not contain any right of development and will be used only for agricultural purposes, which Petitioners argue is consistent with legislative policy.

The transfer of this particular non-density acreage is consistent with the spirit and intent of the B.C.Z.R. and the Zoning Commissioner's Policy RSD-8. The plan set forth in Petitioner's Exhibit 1 will retain and foster conditions favorable to continued agricultural preservation and will not create any adverse impact on the health, safety or general welfare of the community.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 10th day of March, 1989 that the Petition for Special Hearing to approve a non-density transfer of 8.59 acres more or less in an R.C. 2 zone, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) Within ninety (90) days of the date of this Order, Petitioners shall execute and record among the Land Records of Baltimore County a new deed and/or declaration which references this Case and clearly establishes the fact that the relief granted herein is for a non-density transfer of the 8.59 acres zoned R.C. 2, as set forth in Petitioner's Exhibit 1, for agricultural purposes only with no further development rights and that there shall be no future subdivision of the 8.59 acres. Said new deed and/or declaration shall be submitted for approval to the Zoning Office prior to recordation.

3) The density of the Contract Purchasers' tract and Petitioners' tract shall be based upon the acreage contained within each parcel, excluding the 8.59 acres transferred herein to the Contract Purchasers, identified in Petitioner's Exhibit 1 as the cross-hatched area. In other words, the density for each parcel shall be calculated on its own merit; it shall not include the 8.59 acres zoned R.C.2, which are the subject of this hearing.

4) Prior to the issuance of any building permits, the Contract Purchasers shall enroll the 8.59 acres transferred herein in a County or State agricultural preservation program, whichever is deemed appropriate or applicable. The Contract Purchasers shall submit proof of compliance with this restriction within six (6) months of the date of this Order.

5) Prior to the issuance of any building permits for the subject property, and as required by the Zoning Commissioner's Policy RSD-10, Petitioners shall present to the Zoning Commissioner's Office documentation for review and approval as to its appropriateness and consistency with the testimony presented. Said documentation shall be incorporated into the case file as a permanent part of the record.

6) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

A. H. NASTAROWICZ
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 857-6555
J. Robert Hines
Zoning Commissioner

March 16, 1989

Benjamin Bronstein, Esquire
29 W. Susquehanna Avenue, Suite 205
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NE/S Butler Road, 3225' SW of Belmont Avenue
4th Election District - 3rd Councilmanic District
Nathan Krome, et ux - Petitioners
Case No. 89-352-SPH

Dear Mr. Bronstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

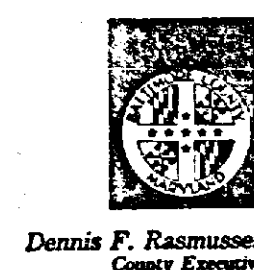
Very truly yours,

A. H. NASTAROWICZ
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

cc: Robert A. Hoffman, Esquire
210 Allegheny Avenue, Towson, Md. 21204

Ms. Lisa Keir, Executive Director
Valleys Planning Council, Inc.
P.O. Box 5402, Towson, Md. 21285-5402

People's Counsel
File



Dennis F. Rasmussen
County Executive

PETITION FOR SPECIAL HEARING
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-352-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve a

A NON-DENSITY TRANSFER OF 8.59 ACRES MORE OR LESS IN A RC2 ZONE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):	MAP
(Type or Print Name)	NATHAN KROME	S.D.
Signature	<i>Nathan Krome</i>	DATE
Address	CHERYL KROME	200
City and State	(Type or Print Name)	1000
	<i>Cheryl Krome</i>	DP
Attorney for Petitioner:	69 W. TIMONIUM ROAD	252-6760
(Type or Print Name)	Address	Phone No.
BY: <i>Benjamin Bronstein</i>	TIMONIUM, MARYLAND	21093
Signature: BENJAMIN BRONSTEIN	City and State	
29 W. SUSQUEHANNA AVE., STE. 205	Name, address and phone number of legal owner, contract purchaser or representative to be contacted	
Address	BENJAMIN BRONSTEIN & EVANS, GEORGE & BRONSTEIN	
TOWSON, MARYLAND 21204	29 W. SUSQUEHANNA AVE., STE. 205, TOWSON, MD	
City and State	296-0200	21204
Attorney's Telephone No.: (301) 296-0200	Address	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of July, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 109, County Office Building in Towson, Baltimore County, on the 7th day of March, 1989, at 9 o'clock P.M.

J. Robert Hines
J. Robert Hines
Zoning Commissioner of Baltimore County.

JAN-16-89 MON 17:22 W.T. SADLER P. 02
W.T. SADLER SURVEYORS
Landmark Center
501 Main Street
Reisterstown, MD 21136
Phone (301) 526-5618
William T. Sadler
James C. Sadler
#300

Page 1 of 2

(PARCEL LYING WITHIN RC-4 ZONE)

DESCRIPTION OF A PORTION OF

THE PROPERTY OF

NATHAN L. KROME & CHERYL A. KROME, HIS WIFE.

Location: Southeast side of Butler Road
4th Election District
Baltimore County, Maryland

Date: December 13, 1988

DESCRIPTION:

Beginning for the same at a point in the bed of Butler Road at the end of the North 26 degree 26 minutes 43 second West 267.40 foot line of the and described in a Deed from Richard W. Britt to Nathan L. Krome and Cheryl A. Krome, his wife, dated September 12, 1988 and recorded among the Land Records of Baltimore County in Liber 7972, page 178, and running thence reversely along said line and continuing reversely along the outlines of said land

South 51 degrees 26 minutes 43 seconds East 267.40 feet,
South 59 degrees 48 minutes 46 seconds East 160.36 feet,
South 62 degrees 02 minutes 23 seconds East 204.76 feet,
South 61 degrees 49 minutes 48 seconds East 339.54 feet,
North 31 degrees 05 minutes 12 seconds East 199.90 feet,
South 59 degrees 59 minutes 16 seconds East 215.06 feet,
South 13 degrees 31 minutes 53 seconds East 37.71 feet,
South 27 degrees 09 minutes 37 seconds West 76.54 feet,
North 79 degrees 57 minutes 03 seconds East, crossing Belmont Road at a bridge there situate, for a total distance of 1370.61 feet to a point in or near the center of Fuss Road, now abandoned, thence running and binding in or near the center of said road

South 26 degrees 23 minutes 40 seconds West 205.17 feet and
South 15 degrees 05 minutes 20 seconds East 178.14 feet,
thence leaving said road and running reversely with a portion of the North 52 degree 23 minutes 26 seconds East 628.65 foot line of the whole tract

South 52 degrees 23 minutes 26 seconds East 619.94 feet to a point at the intersection of said line and the division line between RC-4 and RC-2 Zoning, thence leaving the outlines of the whole tract and running along said division line the fourteen (14) following courses and distances

501 Main Street
Reisterstown, MD 21136
Phone (301) 526-5618
William T. Sadler
James C. Sadler
Page 2 of 2

North 00 degrees 54 minutes 34 seconds West 91.33 feet,
North 11 degrees 18 minutes 36 seconds West 61.18 feet,
North 29 degrees 53 minutes 56 seconds West 46.14 feet,
North 77 degrees 23 minutes 29 seconds West 77.88 feet,
South 53 degrees 14 minutes 47 seconds West 76.33 feet,
South 74 degrees 07 minutes 44 seconds West 106.04 feet,
South 87 degrees 39 minutes 46 seconds West 98.08 feet,
South 70 degrees 33 minutes 36 seconds West 108.17 feet,
South 57 degrees 10 minutes 41 seconds West 67.39 feet,
South 58 degrees 54 minutes 59 seconds West 88.88 feet,
North 81 degrees 15 minutes 14 seconds West 78.92 feet,
North 69 degrees 23 minutes 28 seconds West 125.00 feet,
North 59 degrees 28 minutes 38 seconds West 184.98 feet and
North 56 degrees 46 seconds West 317.37 foot to
a point, thence leaving the said zoning division line and continuing with lines of division as now established through these lands the six (6) following courses and distances, viz:

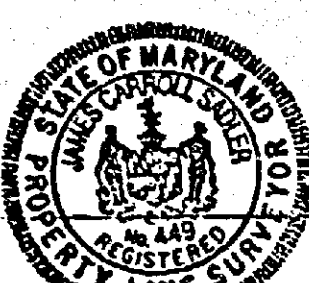
North 9 degrees 10 minutes 40 seconds East 169.69 feet,
North 26 degrees 33 minutes 54 seconds West 156.32 feet,
North 48 degrees 06 minutes 40 seconds West 233.38 feet,
North 45 degrees 07 minutes 46 seconds West 78.76 feet,
North 59 degrees 48 minutes 46 seconds West 75.00 feet and
North 61 degrees 26 minutes 43 seconds West 265.00 feet to a point in the bed of Butler Road and to intersect the South 25 degree 33 minute 00 second West 70.10 foot line of the whole tract, thence running reversely with said line, and in the bed of said Butler Road

North 25 degrees 33 minutes 00 seconds East 35.05 feet to the place of beginning. Containing 21.402 acres of land, more or less.

SUBJECT to the rights of others entitled thereto to the use of that portion of Belmont Road lying to the west of the herein described sixth of North 25 degrees 23 minutes 40 second East 205.17 foot line.

ALSO SUBJECT to the rights of others entitled thereto to the use of a forty foot easement for the bed of Butler Road lying along the sixteenth of South 25 degrees 23 minutes 00 second West 70.10 foot line of the herein described parcel of land.

Being a portion of the land which by Deed dated September 12, 1988 and recorded among the Land Records of Baltimore County in Liber 7972, page 178 was conveyed from Richard W. Britt to Nathan L. Krome and Cheryl A. Krome, his wife.



BY: *James C. Sadler*
James C. Sadler, p.c. no. 449

W.T. SADLER SURVEYORS
Landmark Center
501 Main Street
Reisterstown, MD 21136
Phone (301) 526-5618
William T. Sadler
James C. Sadler
Page 2 of 2

DESCRIPTION:

Beginning for the same at the end of the second of North 26 degrees 23 minutes 26 seconds East 628.65 foot line of the land described in a Deed from Richard W. Britt to Nathan L. Krome and Cheryl A. Krome, his wife, dated September 12, 1988 and recorded among the Land Records of Baltimore County in Liber 7972, page 178 and running thence reversely along the outlines of said land

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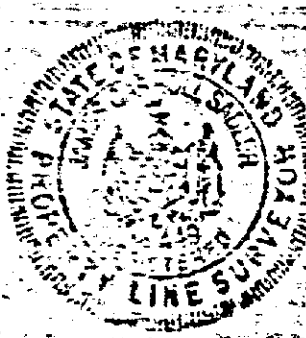
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BY: *James C. Sadler*
James C. Sadler, p.c. no. 449

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
89-352-SPH

District: 4th Date of Posting: 2-13-89

Posted for: Special Hearing

Petitioner: Nathan Krome, et al.

Location of property: N.E. side of Butler Road, 72-25' SW of Belmont Road

Location of Signs: Signs on N.E. side of Butler Road at intersection with Fuss Road, and on N.W. side of Belmont Road in front of subject property

Remarks: See front of subject property

Posted by: J. Robert Haines Date of return: 2-17-89

Number of Signs: 2

FOR RENT

TRISTAR Management
Immediate Openings
1 and 2 Bedroom Spots
London & Hampden
All conveniently located on Park
Close to Shopping Center
Call About Our Manager
Call Lynn S.
764-0533
Your key to better living

FOR SALE

REAL ESTATE

BEST BUY IN RANDALL
OWNER'S SALE
Immediate 4 BR corner ranch with
first floor family room, 2 1/2 baths, full
large fenced in yard. New roof, full
conditioning.
Call for an appointment
Absolutely no agents

89-352-A
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
1st day of February, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Nathan Krome Received by: James C. Sadler
Petitioner's Attorney: Benjamin Bronstein Chairman, Zoning Plans Advisory Committee

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner
Date: 2/28/89

Re: Petition for Zoning Variance
CASE NUMBER: 89-352-SPH
NES Butler Road, 3225' SW Belmont Avenue
4th Election District - 3rd Councilmanic
Petitioner(s): Nathan Krome, et al.
HEARING SCHEDULED: TUESDAY, MARCH 7, 1989 at 9:00 a.m.

Dear Mr. Krome:

Please be advised that \$86.63 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

JRH:gs
cc: Benjamin Bronstein, Esq.
File

NOTICE OF HEARING
The Zoning Commission of Baltimore County, Maryland, is hereby giving notice that a public hearing on the proposed zoning variance for the property located at NES Butler Road, 3225' SW Belmont Avenue, 4th Election District, will be held on Tuesday, March 7, 1989 at 9:00 a.m. at the County Office Building, Room 111, Towson, Maryland 21204.

Special Hearing: A non-daily hearing of the Zoning Commission of Baltimore County, Maryland, is hereby given notice that a public hearing on the proposed zoning variance for the property located at NES Butler Road, 3225' SW Belmont Avenue, 4th Election District, will be held on Tuesday, March 7, 1989 at 9:00 a.m. at the County Office Building, Room 111, Towson, Maryland 21204.

Any request for a stay of the hearing must be made in writing and received in the office by 1:00 p.m. on the day of the hearing or it will be denied.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
62264 Feb. 16

CERTIFICATE OF PUBLICATION
TOWSON, MD., February 20, 1989
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on February 16, 1989.

THE JEFFERSONIAN,
S. Zaki O. Omer
Publisher

PO 09750
reg M25253
price \$37.43

CERTIFICATE OF PUBLICATION
Pikesville, Md., 2/15/89
THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 16th day of February, 1989.

the first publication appearing on the 15th day of Feb., 1989

the second publication appearing on the 16th day of Feb., 1989

the third publication appearing on the 17th day of Feb., 1989

THE NORTHWEST STAR
Jim Paul
Manager

Cost of Advertisement \$19.20

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: 3-7-89 ACCOUNT: R-01-GIS-000

AMOUNT: \$86.63

RECEIVED BY: N. Krome

FOR: Posting & Advertising (89-352-SPH)

B 800*****866315 85285

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333
J. Robert Haines
Zoning Commissioner

FEB 03 1989

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-352-SPH
NE/S Butler Road, 3225' SW of Belmont Avenue
4th Election District - 3rd Councilmanic
Petitioner(s): Nathan Krome, et ux
HEARING SCHEDULED: TUESDAY, MARCH 7, 1989 at 9:00 a.m.

Special Hearings: A non-density transfer of 8.59 acres more or less in a R2 zone.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: *Nathan Krome*
Benjamin Bronstein, Esq.
Mr. Howard D. Davis
Tracy



Dennis F. Rasmussen
County Executive

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

February 27, 1989

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

MEMBERS
Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

Benjamin Bronstein, Esquire
Evans, George & Bronstein
29 W. Susquehanna Avenue, Suite 205
Towson, MD 21204

RE: Item No. 300, Case No. 89-352-A
Petitioner: Nathan Krome, et ux
Petition for Special Hearing

Dear Mr. Bronstein:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Nathan Krome
69 W. Timonium Road
Timonium, MD 21093



Maryland Department of Transportation
State Highway Administration

FEB 27 1989

ZONING OFFICE

February 22, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Nathan Krome Property
Zoning Meeting of 1-31-89
N/E/S Butler Road
(MD 128) 3,225 S/W of
Belmont Avenue
(Item #300)

Attn: Mr. James Dyer

Dear Mr. Haines:

After reviewing the submittal for a special hearing to approve a non-density transfer of 8.59 acres in a R.C. 2 zone, we find the plan must be revised to show a future 80' right of way (40' measured from the centerline of Butler Road).

It is requested this revision be made prior to a hearing date being set.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

Gregory J. Mills, Jr.
Gregory J. Mills, Jr., Chief
Bureau of Engineering
Access Permits

LB:KAW

cc: W.T. Sadler
Mr. J. Ogle

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-8082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County
Fire Department
Towson, Maryland 21204-2586
894-4700
Paul H. Reincke
Chief

February 14, 1989

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: Nathan Krome
Location: N/S Butler, Road, 3,225' SW of Belmont Avenue
Item No.: 300

Zoning Agenda: Meeting of January 31, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

(X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. Panhandle Road shall have a minimum width of 16 feet.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Gregory J. Mills, Jr.*
Planning Group J
Special Inspection Division

NOTED & APPROVED: *Paul H. Reincke*
Fire Prevention Bureau

/s/

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

TO: Ann M. Nastarowicz April 14, 1989
Deputy Zoning Commissioner

FROM: Kate Milton
Development Center

SUBJECT: Petition for Special Hearing
NE/S Butler Road, 3225' SW of Belmont Avenue
4th Election District - 3rd Councilmanic District
Nathan Krome, et ux - Petitioners
Case No. 89-352-SPH

This is to notify you that the information submitted by Rob Hoffman regarding the above referenced case, (enclosed) does meet the requirements of our policy RSD-10.

cc: Case File
Carl Richards
Robert Hoffman

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
TO: Zoning Comm. Ioner Date: March 6, 1989

Pat Keller, Deputy Director
FROM: Office of Planning and Zoning

Nathan Krome
SUBJECT: Zoning Petition No. 89-352-SPH

The petitioner is requesting a special hearing to allow a non-density transfer of 8.59 acres in a R.C.2 zone. In reference to said request, staff provides the following information:

- The continued viability of the farming operation on the site is of paramount concern. Although the applicant will be placing the site in an agricultural easement program, it must be recognized that the building location can affect the agricultural viability of the site. In cases such as these buildings should be located along hedge rows, roadways or clustered at the side of the parcel.

Based upon the information provided and analysis conducted, staff recommends approval of the applicant's request subject to the following conditions:

- The petitioner shall locate the proposed dwellings in the areas cross-hatched in staff's exhibit.
- The petitioner shall have a soil conservation plan prepared by the Soil Conservation District to indicate that the agricultural areas can continue to be farmed.

PK/sf

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
TO: Zoning Commissioner Date: March 6, 1989

Pat Keller, Deputy Director
FROM: Office of Planning and Zoning

Nathan Krome
SUBJECT: Zoning Petition No. 89-352-SPH

The petitioner is requesting a special hearing to allow a non-density transfer of 8.59 acres in a R.C.2 zone. In reference to this request, staff provides the following information:

- The continued viability of the farming operation on the site is of paramount concern. Although the applicant will be placing the site in an agricultural easement program, it must be recognized that the building location can affect the agricultural viability of the site. In cases such as these buildings should be located along hedge rows, roadways or clustered at the side of the parcel.

Based upon the information provided and analysis conducted, staff recommends approval of the applicant's request subject to the following conditions:

- The petitioner shall locate the proposed dwellings in the areas cross-hatched in staff's exhibit.
- The petitioner shall have a soil conservation plan prepared by the Soil Conservation District to indicate that the agricultural areas can continue to be farmed.

PK/sf

CPS-008

BALTIMORE COUNTY, MARYLAND
Inter-Office Correspondence

TO: Kate Nilton
Development Control

DATE: April 5, 1989

FROM: Ann M. Nastarowicz
Deputy Zoning Commissioner

SUBJECT: Petition for Special Hearing
NE/S Butler Road, 3225' SW of Belmont Avenue
4th Election District - 3rd Councilmanic District
Nathan Krome, et ux - Petitioners
Case No. 89-352-SPH

Attached is a copy of Rob Hoffman's letter of April 3, 1989 and attachments submitted in reference to Restriction No. 5 of the above-captioned matter. Please verify Petitioners' compliance with said restriction and obtain any additional documentation you need from Mr. Hoffman. Upon verification that compliance with Restriction No. 5 has been met, please make a notation in the case file and notify Mr. Hoffman, Carl and myself.

If you should have any questions on the subject, please check with either Carl or myself. Thank you for your assistance in this matter.

AMN:bjs
cc: Case File

LAW OFFICES
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P.O. BOX 5517

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JOHN B. HOWARD
DAVID D. DOWNES
DANIEL D. TRACY, JR.
JOHN H. ZINK, III
JOSEPH C. WICK, JR.
HENRY B. PECK, JR.
HERBERT R. O'CONNOR, III
FRANK F. HERTSCH
MICHAEL E. LEAF
THOMAS L. HUDSON
C. CAREY DELLEY, JR.
N. KING HILL, III
GEORGE E. RETHOLDS, III
ROBERT A. HOFFMAN
CYNTHIA M. HAHN

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JUDITH A. ARMOLD
DEBORAH C. DOWNS
KATHLEEN GALLAGHY COX
JOHN J. GESSNER
J. MICHAEL BRENNAN
H. BARNITT PETERSON, JR.
JOSEPH F. SIEG, JR.
KATHRYN L. KOTZ
JAMES M. MARTIN
NEWTON B. FOWLER, III
CHARLES R. WELLINGTON
KEVIN J. MANDNEY
ELIZABETH S. RUBIN
HARRI E. SMITH
BRIAN A. BALENSON
JAMES D. C. DOWNES
(800-4879)

REPLY TO: TOWSON

March 2, 1989

Lisa Keir, Executive Director
Valleys Planning Council
212 Washington Avenue
Box 5402
Towson, Maryland 21285-5402

Re: The Krome Property
Donald H. Wilson, III and Beverly L. Wright,
his wife, Contract Purchasers
Zoning Case No.: 89-352-SPH

Dear Lisa:

This firm represents Mr. Donald H. Wilson, III and Beverly L. Wright, his wife (the "Wilson's"), Contract Purchasers of the 30 acre Krome property, as more particularly described on the plat to accompany the Petition for Special Hearing in the referenced case. The Wilsons agree that upon transfer of the property from the Kromes to the Wilsons, they will seek, as legal owners of the property, to place the 30 acre parcel in an appropriate open space or agricultural program which will limit development of the entire 30 acre parcel property to one dwelling. (The Wilsons contemplate removal of the existing tenant house and construction of a new dwelling).

RECEIVED
APR 5 1989
ZONING OFFICE

Lisa Keir, Executive Director
Valleys Planning Council
March 2, 1989
Page 2

Please let me know if you have any questions.

Yours truly
Robert A. Hoffman

RAH:lw
cc: Donald H. Wilson, III
Beverly L. Wright
Benjamin Bronstein, Esquire

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ELIZABETH S. RUBIN
HARRI E. SMITH
BRIAN A. BALENSON
JAMES D. C. DOWNES
(800-4879)

REPLY TO: TOWSON

April 3, 1989

Hand Delivery

Ann Nastarowicz,
Deputy Zoning Commissioner
for Baltimore County
1st Floor, County Office Building
Towson, Maryland 21204

Re: Petition for Special Hearing
Case No.: 89-352-SPH, Order Dated March 16, 1989
Nathan Krome, et ux, Petitioners

Dear Ms. Nastarowicz:

I have reviewed your Order in the referenced case on behalf of my clients, Mr. Wilson and Ms. Wright, the contract purchasers of the subject property.

I also spoke with you by telephone last week regarding one of the restrictions in that Order. That Restriction reads as follows:

(4) "Prior to the issuance of building permits, the contract purchasers shall enroll the 8.59 acres transferred herein in a county or state agricultural preservation program, whichever is deemed appropriate or applicable. The contract purchasers shall submit proof of compliance with this restriction within six (6) months of the date of this Order."

Ann Nastarowicz,
Deputy Zoning Commissioner
for Baltimore County
April 4, 1989
Page 2

My client has spoken with Mr. Paul Solomon who replaced Jeremy Criss as this county's representative of the Maryland State Agricultural Land Preservation Foundation. Unfortunately, the 8.59 acre "transferred" parcel cannot be placed into the Agricultural Land Preservation Foundation because it is less than 100 acres and does not abut property which is already in the foundation.

We have assured the Valleys Planning Council by letter dated March 2, 1989 that Mr. Wilson and Ms. Wright, upon settlement on the property, will seek as the legal owners to place the 8.59 acre parcel and the additional acreage which is the subject of their Contract of Sale in an appropriate open space or agricultural program. I enclose a copy of this letter to Ms. Lisa Keir for placement in your zoning file. Although this private commitment cannot be a part of your Order, it does represent my clients' clear intention to preserve the agricultural use of the subject 8.59 acre parcel.

Additionally, you have included Restriction No. 5 which reads as follows:

(5) "Prior to the issuance of any building permits with the subject property and as required by the Zoning Commissioner's Policy RSD-10, petitioner shall present to the Zoning Commissioner's office documentation for review and approval as to its appropriateness and consistency with the test money presented. Said documentation shall be incorporated into the case policy permit part of the record."

Attached is a color coded plat and title summary which, it is respectfully submitted, meets the requirements of Zoning Commissioner Policy RSD-10 and is consistent with testimony presented at the hearing.

We would therefore respectfully request that the above mentioned Restriction Nos. 4 & 5 in your Order be removed and that a revised Order be issued as soon as possible.

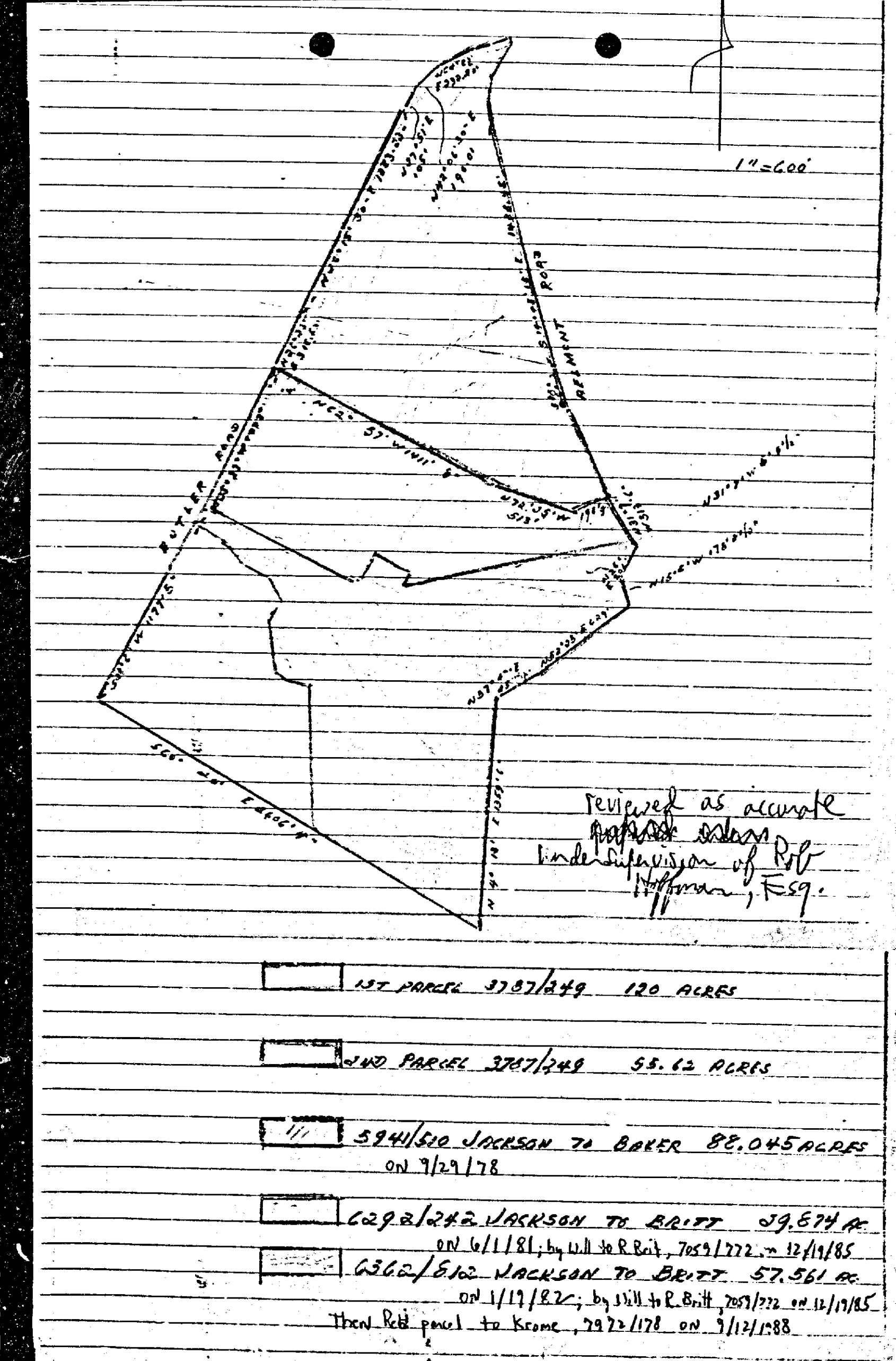
Ann Nastarowicz,
Deputy Zoning Commissioner
for Baltimore County
April 4, 1989
Page 3

Thank you for your attention and cooperation in this matter.

Yours truly,
Robert A. Hoffman

RAH:lw
Enclosure
cc: Donald Wilson
Benjamin Bronstein, Esquire

GRANTOR	GRANTEE	ACREAGE	DATE	DEED REFERENCE
DAVID C. GREEN	CATHERINE B. CUMER	8 parcels a) 120 Acres b) 55.62 Acres	11-29-1960	W.J.R. 3787/249
CATHERINE B. JACKSON (formerly Cumer)	DANIEL R. BAKER PATRICIA T. BAKER his wife	81.045 Acres (all of 55.62 Acres and part of 120 Acres)	9-29-1978	E.H.K.J. 5941/511
CATHERINE B. JACKSON (formerly Cumer)	LOUISE Z. BRITT	29.874 Acres (part of 120 Acres)	6-11-1981	E.H.K.J. 6292/242
CATHERINE B. JACKSON (formerly Cumer)	LOUISE Z. BRITT	57.561 Acres (part of 120 Acres)	1-19-1982	E.H.K.J. 6362/612
RICHARD W. BRITT, Personal Representative of the Estate of Louise Z. Britt	RICHARD W. BRITT	29.874 Acres 2) 57.561 Acres	12-12-1985	E.H.K., JR. 7059/772
RICHARD W. BRITT	NATHAN L. KROME & CHERYL A. KROME his wife	57.561 Acres	9-12-1988	S.M. 7972/173



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BEL AIR (301) 838-8864
BALTIMORE (301) 879-1531
DIRECT DIAL NUMBER
(301) 494-9162
May 5, 1989
REPLY TO: TOWSON

Hand Delivery

Ann M. Nastarowicz, Esquire
307 West Allegheny Avenue
Towson, Maryland 21204

Re: Nathan Krome, et ux
Case No.: 89-352-SPH

Dear Ms. Nastarowicz:

In accordance with Restriction No. 2 set forth in the Findings of Fact and Conclusions of Law in connection with the above referenced case dated March 16, 1989, enclosed is a copy of the deed prepared for the settlement of this property. Please review the covenant language and, if acceptable, initial the same on page 3 of the deed.

Settlement is scheduled for May 9, 1989. It will be most appreciated if you will review the language and return the deed to me prior to settlement. Please call me if there are changes requested to the language.

Very truly yours,

Robert A. Hoffman
Robert A. Hoffman

RAH:hw
Enclosure
cc: Donald H. Wilson, III

5/8/89
OK AMN
Place in
205/8/89

South 29 degrees 53 minutes 56 seconds East 46.14 feet, South 11 degrees 18 minutes 36 seconds East 61.18 feet and South 00 degrees 54 minutes 34 seconds East 91.33 feet to intersect the North 52 degrees 23 minutes 26 seconds East 628.85 foot line of the whole tract, thence running reversely with said line to the beginning thereof South 52 degrees 23 minutes 26 seconds West 8.91 feet and continuing reversely with the outline of the whole tract South 57 degrees 45 minutes 26 seconds West 257.27 feet to the place of beginning. Containing 8.598 acres of land, more or less.

Being a portion of the property which by Deed dated September 12, 1988 and recorded among the Land Records of Baltimore County in Liber S.M. No. 7872, page 178 was granted and conveyed by Richard W. Britt unto the said Nathan L. Krome and Cheryl A. Krome, his wife.

Reserving however unto the said parties of the first part, their personal representatives and assigns, the survivor of them and the personal representatives and assigns of the survivor, the right to the use in common with the said parties of the second part, their personal representatives and assigns, the survivor of them and the personal representatives and assigns of the survivor, of a twelve foot right of way for ingress and egress leading from Butler Road to the property retained by said parties of the first part, the center line of said twelve foot right of way being described as follows:

The costs of repair, improvement and/or maintenance of the aforesaid right of way including, but not limited to, repairing, mowing of grass, shoulders and snow removal shall be borne equally by the parties hereto.

It is covenanted and agreed by the parties of the second part for themselves, their personal representatives and assigns, the survivor of them and the personal representatives and assigns of the survivor that in accordance with the Findings of Fact and Conclusions of Law by the Deputy Zoning Commissioner of Baltimore County dated April 5, 1989, in Case No. 89-352-SPH the parcel of land herein secondly described constitutes a non-density transfer in an R.C.2 zone for agricultural purposes, only with no further development rights and that there shall be no future subdivision of said secondly described parcel of land, so long as the said secondly described parcel of land is zoned R.C.2 or any successor zoning to the R.C.2 zone or unless there has been a further hearing by the Zoning Commissioner and the aforementioned Findings of Fact and Conclusions of Law are further modified.

TOGETHER with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys,

3

LAW OFFICES
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29 WEST SUSQUEHANNA AVENUE
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(301) 286-0200
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HARRIS JAMES GEORGE
BENJAMIN BRONSTEIN
MICHAEL J. CHOMEL
DOUGLAS A. STUBBS
WILLIAM R. LEVASSEUR, JR.

WALLACE DANN
COUNSEL

January 17, 1989

J. Robert Haines, Esquire
Zoning Commissioner for Baltimore
County Zoning Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Item No. 300/Krome Property

Dear Commissioner Haines:

Reference is made to a meeting in your office with Mr. Dyer, Robert Hoffman, Esquire and myself relating to the Krome property. At that time we discussed the requirements related to a non-density transfer of RC2 property. Please be advised that I have now filed a petition for a Special Hearing which has been docketed as Item No. 300. In accordance with our meeting, I would appreciate your granting an expedited hearing.

Thank you for your kind consideration.

Very truly yours,

EVANS, GEORGE & BRONSTEIN

Benjamin Bronstein

BB/bjs

cc: Robert Hoffman, Esquire
Mr. & Mrs. Nathan Krome

THE VALLEYS
PLANNING COUNCIL, INC.

212 Washington Avenue
P.O. Box 5402
Towson, Maryland 21285-5402
301/337-6877

March 10, 1989

RECEIVED
ZONING OFFICE

Ms. Ann Nastarowicz
Deputy Zoning Commissioner
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Special Hearing for the Krome Property

Dear Ann,

Rob Hoffman kindly sent me a copy of the order that Ben Bronstein has drafted subsequent to the hearing requesting a non density transfer for this property. In addition to what Ben has drafted, I would like to suggest that it would be appropriate to add some language to the order committing the land to remain in agriculture.

The order that you drafted in the MacDonald case contained language requiring the Old Hanover Partnership to place the property in an Agricultural District. This ensures that the petitioners will need to abide by the agreement made with the Valleys Planning Council. I think that similar language should be included in the order on the Krome property.

Cordially,

Lisa S. Keir
Executive Director

cc: Rob Hoffman, Esquire
Benjamin H. Bronstein, Esquire

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Ben Bronstein	Susquehanna Bldg
Rob Hoffman	210 Allegheny Ave
James Sadler	501 Main St. Baltimore
Robert Krome	15004 Green Mill Rd
William D. Wilson	12 D. G. St. St. Thomas
Don Wilson	3915 Dancer Mill Rd
Ben Wright	1)

THIS DEED, Made this 10th day of March, 1989, by and between CATHERINE B. JACKSON, of Baltimore County, State of Maryland, of the first part, and LOUISE Z. BRITT, of Baltimore City, State of Maryland, of the second part.

WITNESSETH, That in consideration of the sum of Two Hundred Fifty Thousand Dollars (\$250,000.00), and other good and valuable considerations this day paid, the receipt of which is hereby acknowledged, the said CATHERINE B. JACKSON does grant and convey to the said LOUISE Z. BRITT, her personal representatives and assigns, in fee simple, all that lot of ground situated, lying and being in the Fourth Election District of Baltimore County, State of Maryland and described as follows, that is to say:

BEGINNING for the same at a nail set in the top of a fence post heretofore set on the second or South 60° 20' East 2.66 feet to a inch line of that first parcel of land described in a deed dated November 29, 1960, which was conveyed by David C. Green to Catherine B. Culver and recorded among the Land Records of Baltimore County, in Liber W.P.C. 3787, folio 249, said place of beginning being at the end of the second or South 60° 20' 23" East 1481.04 foot line of that parcel of land described in a deed dated June 1, 1981, which was conveyed by Catherine B. Jackson to Louise Z. Britt and recorded among the Land Records of Baltimore County in Liber W.P.C. 4292, folio 242; thence from said place of beginning, binding on part of the second line of the first herein mentioned deed, as surveyed April 25, 1981, by George William Stephens, Jr. and Associates, Inc., (1) South 60° 20' 23" East 1124.87 feet to the end of said second line and to a pipe found, thence binding on the 3rd, 4th, 5th, 6th and 7th lines of the first herein mentioned deed, the 7th line following lines, viz: (2) North 4° 11' 26" West, passing over a pipe found at the distance of 1059.36 feet, in all, 1259.17 feet to a stone found, (3) North 57° 45' 28" East 237.27 feet to a point in a white oak tree, thence situated, (4) North 52° 23' 26" East, passing over a pipe found at the distance of 621.35 feet, in all 628.85 feet to a pipe set in or near the center of Fute Road, now abandoned, thence binding in or near the center of said abandoned road the two following lines, viz: (5) North 13° 06' 20" West 178.14 feet to a pipe set and (6) North 26° 23' 40" East 206.17 feet to a pipe set, thence binding on the 20th through the 28th lines of a parcel of land described in a deed dated September 29, 1978, which was conveyed by Catherine B. Jackson to Daniel R. Baker and wife, and recorded among the Land Records of Baltimore County in Liber W.P.C. 3941, folio 310, the line following lines viz: (7) South 79° 57' 03" West 1370.61 feet, crossing Belmont Road at a bridge line there situated eight following lines viz: (8) North 27° 09' 37" East 76.54 feet to a pipe now set, (9) North 19° 31' 33" West 37.71 feet to a pipe now set (10) North 59° 59' 16" West 235.06 feet to a pipe now set at a fence corner, (11) South 31° 05' 12" West 129.89 feet to a pipe now set at the intersection of fence lines extended, (12) North 61° 49' 40" West 335.54 feet to a spike set in the northeast side of a 24 inch Oak, (13) North 62° 02' 11" West 204.76 feet to a spike set in the northeast side of a 16" Poplar (14) North 59° 48' 46" West 160.36 feet to a pipe now set at the northeast edge of a 24" Spruce and (15) North 61° 25' 43" West, passing over a pipe now set at the end of the fence there situated, at the distance of 235.62 feet, in all, 267.40 feet to a point in the bed of Butler Road and to intersect the fifteenth or South 25° 11' West 1002 feet 4-1/2" line of the first herein mentioned parcel of land, thence binding on a part of said fifteenth line (16) South 25°

AGRICULTURAL TRANSFER TAX
NOT APPLICABLE-EXEMPT FROM TAX
SIGNATURE: KAP DATE: 1/19/89

B 8398-375000-0-1989A

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DOUGLAS A. STUBBS
WILLIAM R. LEVASSEUR, JR.

WALLACE DANN
COUNSEL

March 13, 1989

Ann Nastarowicz, Esquire
Deputy Zoning Commissioner for
Baltimore County
Zoning Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Case No.: 89-352-SPH

Dear Mrs. Nastarowicz:

Enclosed please find a draft copy of a Findings of Fact and Conclusions of Law in reference to the above entitled case.

Reference is also made to a letter dated March 10, 1989 from the Valleys Planning Council, Inc. over the signature of Lisa S. Keir. While Mr. Hoffman's client and my client have expressed their intention to participate in one of the agricultural preservation programs, it is requested that this requirement not be mandated in the Order in that a mandated requirement may affect the tax benefits flowing to Mr. and Mrs. Krome or Mr. and Mrs. Wilson.

Thank you for your kind consideration.

Very truly yours,

EVANS, GEORGE & BRONSTEIN

Benjamin Bronstein

BB/bjs

Enclosure

cc: Robert A. Hoffman, Esquire
Lisa S. Keir

This Deed, Made this 10th day of March, 1989, by and between DAVID C. GREEN, of Baltimore City, in the State of Maryland, of the first part, and CATHERINE B. CULVER, of Baltimore County, State of Maryland, of the second part,

Witnesseth, That in consideration of the sum of \$5.00 and other good and valuable considerations, the receipt whereof is hereby acknowledged, the said DAVID C. GREEN does grant and convey unto the said party of the second part, her

heirs and assigns, in fee simple, all those two lots of parcels of ground, situated, lying and being in Baltimore County, Maryland and described as follows, that is to say:

Beginning for the first in the bed of Dover Road now known as Butler Road, now constructed at the end of the sixth or South 16 degrees East 100 feet, thence running with the line of the tract of land described in the Deed from David C. Green to Albert A. Sick dated December 21, 1928 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 307, folio 427, etc., said point being also the beginning of the tract of land described in the Deed from the Church Home and Infirmary of Baltimore City to Charles B. Gillet dated January 2, 1926 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 629, folio 65, etc., and running thence down the bed of Dover Road as now constructed and binding on part of the first line of the tract of land described in said Deed from the Church Home and Infirmary of Baltimore City to Charles B. Gillet as now surveyed South 29 degrees 0 minutes West 1177 feet 5 inches thence for a line of division as now surveyed South 60 degrees 20 minutes East 4306 feet 4 inches to the center of the thirty-seventh or North 24 degrees West 63 perches line of the above mentioned tract of land described in said Deed from the Church Home and Infirmary to Charles B. Gillet thence running with and binding on the outer line of said tract of land and also with and on this line as the tract of land described in the Deed from Salina H. Conrad et al to Albert W. Pugh and wife dated March 22, 1899 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 237, folio 235, as now surveyed that line following course and distance North 4 degrees 13 minutes East 13 feet 6 inches to a stone heretofore planted North 0 degrees 47 minutes East 297 feet 4 inches to a white oak tree and North 24 degrees 25 minutes East 609 feet to a stone in the bed of the county road now called Dover Road as now used thence still binding on the outlines of the said last mentioned tracts of land as now surveyed and in the bed of said Road as now used North 15 degrees 15 minutes West 178 feet 2-1/2 inches and North 26 degrees 25 minutes East 240 feet 3 inches to a point South 20 degrees 22 minutes West 15 feet 6 inches from a stone heretofore planted on the northeast side of said Road at the end of the twelfth or North 24-1/2 degrees East 13-1/2 perches line of the above mentioned tract of land described in said Deed from Salina H. Conrad et al to Albert W. Pugh and wife thence binding

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THIS DEED, Made this 24th day of September 1978, by and between CATHERINE B. JACKSON of Baltimore County, State of Maryland, of the first part, and DANIEL R. BAKER and PATRICIA T. BAKER, his wife, of the second part.

WITNESSETH, That in consideration of the sum of Five Dollars and other good and valuable considerations this day paid the receipt of which is hereby acknowledged, the said CATHERINE B. JACKSON, does grant and convey to the said DANIEL R. BAKER and PATRICIA T. BAKER, his wife, as tenants by the entireties, their assigns, the survivor of them and to the survivor's personal representatives and assigns, in fee simple, all that lot of ground situate in the Eighth Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the same on the southeast side of Butler Road, 40 feet wide, (State Road No. 128) at the beginning of the second parcel of land described in a deed dated November 29, 1960 which was conveyed by David C. Green to Catherine B. Culver, recorded among the Land Records of Baltimore County in Liber W.J.R. 3787, folio 249; thence from said place of beginning, binding on the southeast side of Butler Road, the eight following lines; as herein menioned parcel of land, the eight following lines; as now surveyed viz: (1) North 26° 22' 20" East 316.74 feet, (2) North 26° 14' 50" East 1282.85 feet, (3) northeasterly by a curve to the right having a radius of 1880.55 feet for the distance of 104.48 feet, said arc being subtended by a chord bearing North 50° 20' East 104.97 feet, (4) northeasterly by a curve to the right having a radius of 435.13 feet for the distance of 191.51 feet, said arc being subtended by a chord bearing North 42° 05' 50" East 189.95 feet, (5) North 54° 45' 50" East 22.30 feet, (6) northeasterly by a curve to the right having a radius of 656.57 feet for the distance of 235.22 feet, said arc being subtended by a chord bearing North 64° 21' 20" East 232.13 feet, (7) North 73° 56' 50" East 97.87 feet and (8) northeasterly by a curve to the left having a radius of 838.75 feet for the distance of 141.08 feet and bearing South 70° 42' 54" East 19.95 feet, thence continuing to the westernmost side of said parcel of land and binding on the westernmost side of Belmont Road, 40 feet wide, as now surveyed, the eight following lines viz: (9) Southwesterly by a curve to the left having a radius of 694.39 feet for the distance of 217.24 feet, said arc being subtended by a chord bearing South 29° 45' 35" West 216.35 feet, (10) Southwesterly by a curve to the left having a radius of 324.61 feet for the distance of 59.18 feet, said arc being subtended by a chord bearing South 110° 02' 40" West 98.79 feet,

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THIS DEED, Made this 1st day of June 1981, by and between CATHERINE B. JACKSON, of Baltimore County, State of Maryland, of the first part, and LOUISE Z. BRITT, of Baltimore City, State of Maryland, of the second part.

WITNESSETH, That in consideration of the sum of Three Hundred Sixty-nine Thousand Four Hundred Ninety-six Dollars (\$369,496.00), and other good and valuable considerations this day paid, the receipt of which is hereby acknowledged, the said CATHERINE B. JACKSON does grant and convey to the said LOUISE Z. BRITT, her personal representatives and assigns, in fee simple, all that 1/2 of ground situate, lying and being in the Fourth Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING for the same at a point in the bed of Butler Road at the beginning of the first parcel of land described in a deed dated November 29, 1960 which was conveyed by David C. Green to Catherine B. Culver and recorded among the Land Records of Baltimore County in Liber W.J.R. 3787, folio 249; thence from said place of beginning, binding on all of the first and on a part of the second line of said first parcel the two following lines, as now surveyed, viz: (1) South 29° 06' 00" West, running in the bed of Butler Road, 1176.94 feet, thence leaving Butler Road (2) South 60° 20' 23" East, passing over a pipe now set at the distance of 20.00 feet, and passing over a pipe heretofore set at the distance of 428.79 feet, in all, 1481.04 feet, to a nail now set in the top of a fence post there situate, thence leaving said second line, running for lines of division through said first parcel of land the eleven following lines, as now surveyed, (3) North 20° 28' 59" West binding on a fence there situate 433.69 feet to a pipe now set, (4) North 10° 49' 37" West binding on a fence there situate 443.07 feet to a pipe now set, (5) North 78° 44' 45" West 164.28 feet to a pipe now set, (6) North 51° 04' 27" West 72.57 feet to a pipe now set, (7) North 05° 23' 25" West, passing over a pipe now set at the distance of 217.25 feet, in all, 302.64 feet to a pipe now set, (8) North 31° 59' 12" East 150.42 feet to a pipe now set, (9) North 25° 39' 24" West 161.33 feet to a pipe now set, (10) North 47° 57' 25" West 179.17 feet to a pipe now set, (11) North 35° 08' 16" West 95.62 feet to a pipe now set, (12) North 59° 48' 46" West 55.00 feet to a pipe now set and (13) North 61° 26' 43" West, passing over a pipe now set at the distance of 247.73 feet, in all, 262.73 feet to a point in the bed of Butler Road and to intersect the fifteenth or South 25° 33' West 1002 foot 4-1/2 inch line of the herein mentioned parcel of land, thence binding on a part of said fifteenth line, (14) South 25° 33' 00" West 128.31 feet to the end of said fifteenth line and to the place of beginning. Containing 29.874 Acres of land more or less, according to a survey made April 28, 1981 by George William Stephens, Jr. and Associates, Inc.

STATE DEPARTMENT OF
ASSESSMENTS & TAXATION
Clerk DATE

B 8309***55424** 8032A

THE VALLEYS
PLANNING COUNCIL, INC.

212 Washington Avenue
P.O. Box 5402
Towson, Maryland 21285-5402
301/337-6877

March 7, 1989

Robert J. Haines, Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: The Krome Property Special Hearing
Zoning Case No.: 89-352-SPH

Dear Mr. Haines,

The Valleys Planning Council is not opposed to the non density transfer of RC 2 property since both the Wilsons and the Kromes have indicated that the land will be placed in a permanent conservation easement.

The Valleys Planning Council asks that the Zoning Commissioner make this a condition in his order if he decides to grant the petitioners request.

Cordially,

Lisa S. Keir

Lisa S. Keir
Executive Director

cc:

Robert A. Hoffman, Esquire
Benjamin Bronstein, Esquire

Petitioner's Exhibit
2

THIS DEED, Made this 18th day of October, in the year nineteen hundred and eighty-nine, by and between DONALD H. WILSON, III and BEVERLY L. WRIGHT, his wife, of Baltimore County, State of Maryland, parties of the first part, and DONALD H. WILSON, III and BEVERLY L. WRIGHT, his wife, of Baltimore County, State of Maryland, parties of the second part.

WITNESSETH, That in consideration of the sum of Five Dollars (\$5.00) and other good and valuable consideration, the actual consideration paid in connection with this conveyance being ZERO DOLLARS (\$0.00), this day paid, the receipt whereof is hereby acknowledged, the said DONALD H. WILSON, III and BEVERLY L. WRIGHT, his wife, do grant and convey unto the said DONALD H. WILSON, III and BEVERLY L. WRIGHT, his wife, as tenants by the entireties, their personal representatives and assigns, the survivor of them, and the survivor's personal representatives and assigns, in fee simple, all that parcel of ground situate, lying and being in the Fourth Election District of Baltimore County, State of Maryland, and described in EXHIBIT "A", attached hereto and made a part hereof.

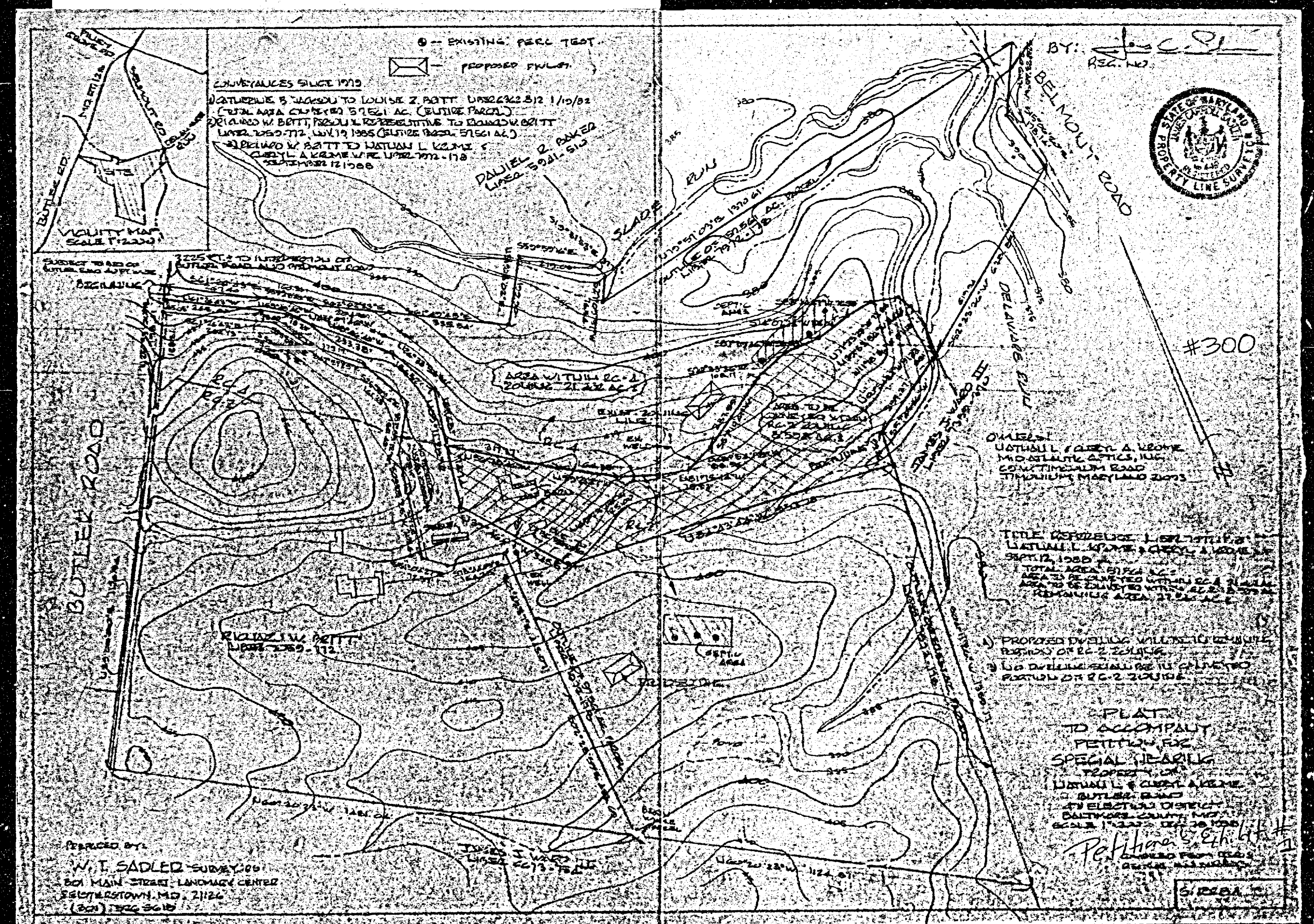
Being all and the same property which by Deed dated May 9, 1989 and recorded among the Land Records of Baltimore County, in Liber S.M. No. 8169 folio 562 was granted and conveyed by Nathan L. Krome and Cheryl A. Krome, his wife, to Donald H. Wilson, III and Beverly L. Wright, his wife, in fee simple.

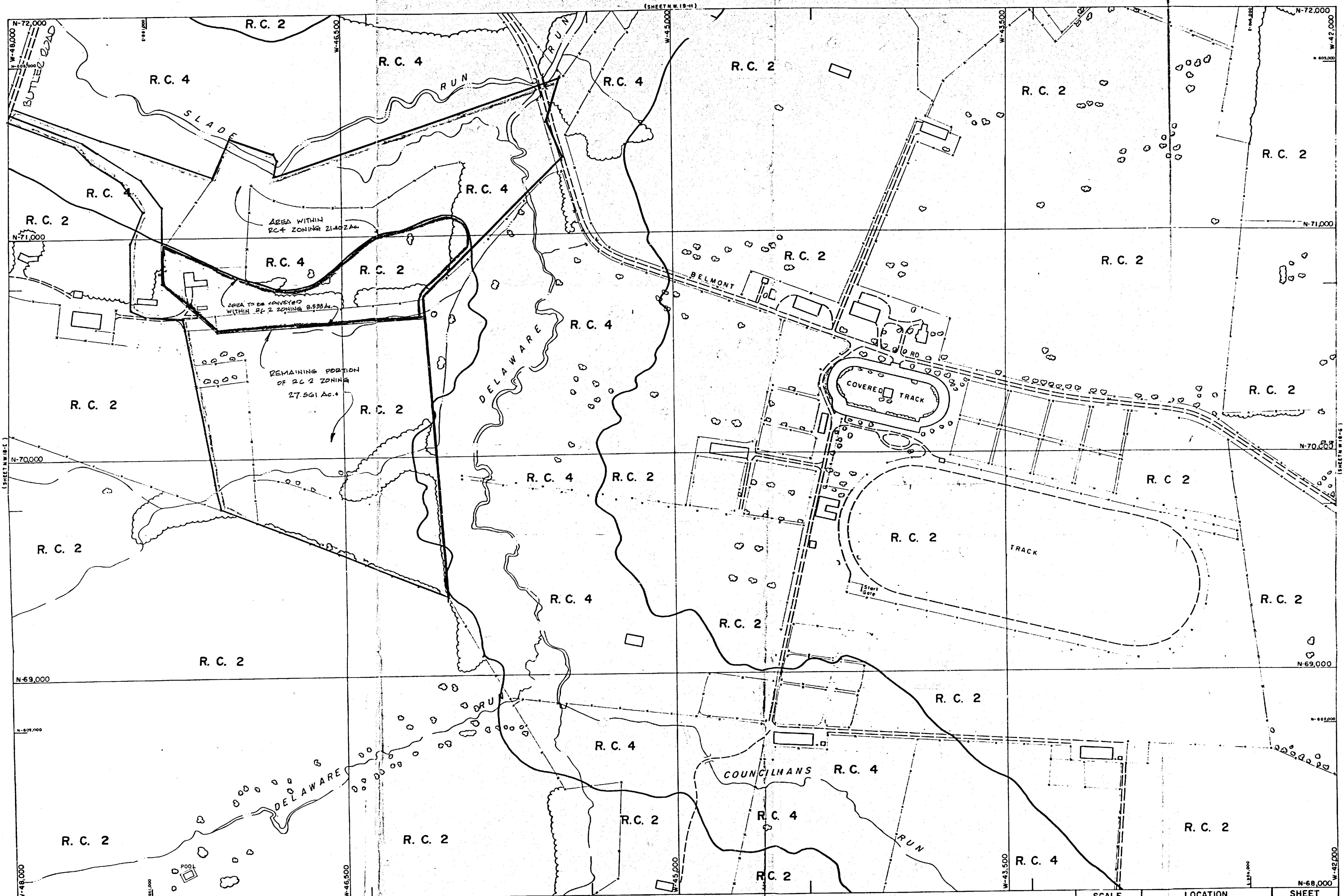
Subject to the rights of others entitled thereto, to the use of such portions of the above-described property as lie in the beds of Belmont Road and Butler Road.

Subject, however, to a right of way for ingress and egress leading from Butler Road as set forth in the aforesaid Deed from Nathan L. Krome and Cheryl A. Krome, his wife, to Donald H. Wilson, III and Beverly L. Wright, his wife, and subject also to the terms, provisions and conditions regarding repair, improvement and/or maintenance of the same.

Subject, also, to the following covenants, conditions and restrictions, which shall apply to and run with an 6.598 acre, more or less, area of land hereinafter described:

1. The hereinafter described area of land, being a portion of the herein described parcel of land, constitutes a non-density transfer in an R.C.2 zone for agricultural purposes only with no further development rights, in accordance with the Findings of Fact and Conclusions of Law by the Deputy Zoning





W - SW W - SE
W - NW W - NE

1988 COMPREHENSIVE ZONING MAP
Adopted by the Baltimore County Council
JULY 12, 1988
Bill Nos. 144, 88, 145, 88, 146, 88, 147, 88, 148, 88, 149, 88, 150, 88
Del. V. V.
Chairman, County Council

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAP

SCALE 1" = 200' ±	LOCATION BELMONT TRACK	SHEET N.W. 18-H
DATE OF PHOTOGRAPHY JANUARY 1986		

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210